

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

AGENCY ONE INSURANCE, INC.,
PAMELA A SIROKY,

Plaintiffs,

vs.

WESTPORT INSURANCE CORP.,

Defendant.

8:13CV78

MEMORANDUM AND ORDER

The above-captioned case has been pending since March 6, 2013. It was originally scheduled to be tried on January 13, 2014. ([Filing No. 24](#)). That trial date was continued to June 18, 2014, ([Filing No. 34](#)), and again continued to September 22, 2014. ([Filing No. 44](#)). All parties intend to file a motion for summary judgment.

The plaintiffs have now moved to continue the summary judgment deadline, explaining that as part of the settlement of a different lawsuit, Agency One's claims in this case have been assigned to Metropolitan Property and Casualty Insurance Company. ([Filing No. 67](#)). The settlement which granted that assignment occurred no later than May 7, 2014. See [Filing No. 67-1](#). Yet Metropolitan Life has not made an appearance in this case or otherwise advised this court that it claims an interest in this litigation through an assignment of Agency One's claim.

Counsel for Agency One requests a continuance so Metropolitan Life can locate counsel for this lawsuit. The defendants oppose any further continuances of this case. Anything other than a very brief continuance of the summary judgment deadline will jeopardize the September 9, 2014 pretrial conference setting.

Accordingly,

IT IS ORDERED:

- 1) The plaintiffs' motion to continue, ([Filing No. 67](#)), is granted.
- 2) The summary judgment deadline is extended to June 6, 2014.

Dated this 29th day of May, 2014.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge